

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>In Re:</b> <b>Jeffrey Schwartz</b> <b>Harriett Wendy Schwartz</b>  <b>Debtors</b>	) ) ) ) )	<b>Case No: 19-06979</b>  <b>Chapter: Chapter 13</b>  <b>Judge: David D. Cleary</b>
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**NOTICE OF MOTION**

TO: See attached list

PLEASE TAKE NOTICE that on November 21, 2022 at 2 PM, I will appear before the Honorable David D. Cleary, or any judge sitting in that judge's place, **either** in Courtroom 644 of the Everett McKinley Dirksen United States Courthouse, 219 S. Dearborn St., Chicago, IL 60604, **or** electronically as described below, and present the motion of Jeffrey & Harriett Schwartz to modify their Chapter 13 plan and shorten notice, a copy of which is attached.

**All parties in interest, including the movant, may appear for the presentment of the motion either in person or electronically using Zoom for Government.**

You may appear electronically be video or by telephone.

**To appear by video**, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode.

**To appear by telephone**, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

**Meeting ID and passcode.** The meeting ID for this hearing is 161 122 6457 and the passcode is Cleary644. The meeting ID and passcode can also be found on the judge's page on the court's website.

**If you object to this motion** and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

**By:** /s/ Dale Allen Riley

Dale Allen Riley  
Geraci Law L.L.C.  
55 E. Monroe Street #3400  
Chicago, Illinois 60603  
312.332.1800  
ndil@geracilaw.com

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>In Re:</b>	)	<b>Case No:</b>	<b>19-06979</b>
<b>Jeffrey Schwartz</b>	)		
<b>Harriett Wendy Schwartz</b>	)	<b>Chapter:</b>	<b>Chapter 13</b>
	)		
<b>Debtors</b>	)	<b>Judge:</b>	<b>David D. Cleary</b>

**CERTIFICATE OF SERVICE**

I, Dale Allen Riley, hereby certify that I served a copy of this notice and the attached motion on each entity shown on the attached list at the address shown and by the method indicated on the list by causing the same to be mailed in a properly addressed envelope, postage prepaid, from 55 E. Monroe, Suite 3400, Chicago, Illinois, on November 15, 2022 at 10:22 AM.

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>In Re:</b>	)	<b>Case No:</b>	<b>19-06979</b>
<b>Jeffrey Schwartz</b>	)		
<b>Harriett Wendy Schwartz</b>	)	<b>Chapter:</b>	<b>Chapter 13</b>
	)		
<b>Debtors</b>	)	<b>Judge:</b>	<b>David D. Cleary</b>

**LIST OF PARTIES SERVED**

Marilyn O. Marshall, 224 S. Michigan Ave. #800 , Chicago, IL 60604

Office of the U.S. Trustee, 219 S. Dearborn, Suite 873, Chicago, Illinois 60604

Jeffrey Donald SchwartzHarriett Wendy Schwartz, 1121 Little Falls Dr , Elgin, IL 60120

See attached list

Advocate Medical Group  
C/O State Collection Service  
PO Box 6250  
Madison WI 53716-0250

Cavalry Portfolio SPV I  
Bankruptcy Dept  
PO Box 1030  
Hawthorne NY 10532

Exxnmobil/CBNA  
Attn: Bankruptcy Dept.  
Po Box 6497  
Sioux Falls SD 57117

AMEX  
Attn: Bankruptcy Dept.  
Po Box 297871  
Fort Lauderdale FL 33329

Clerk, Third Mun Div  
19 M3 000618  
2121 Euclid Ave #121  
Rolling Meadows IL 60008

HSBC BANK Nevada N.A.  
C/O JH Portfolio DEBT EQUI  
5757 Phantom Dr Ste 225  
Hazelwood MO 63042

Associates in Psychiatry and Counseling  
C/o Merchants Credit Guide Co.  
223 W. Jackson Blvd., Ste. 900  
Chicago IL 60606

Keith Scott Schindler  
Bankruptcy Dept.  
1990 E. Algonquin, #180  
Schaumburg IL 60173

Illinois Gastro Enterology Group  
C/O Keynote Consulting  
220 W Campus Drive # 102  
Arlington Heights IL 60004

Bayview Financial LOAN  
Attn: Bankruptcy Dept.  
4425 Ponce De Leon Blvd  
Coral Gables FL 33146

CEP America Illinois LLP  
C/O Wakefield & Associates  
PO Box 59003  
Knoxville TN 37950

LANE BRYANT RETAIL/SOA  
Attn: Bankruptcy Dept.  
450 Winks Ln  
Bensalem PA 19020

Clerk, Chancery  
18 CH 15032  
50 W. Washington St., Room 802  
Chicago IL 60602

Chase CARD  
Attn: Bankruptcy Dept.  
Po Box 15298  
Wilmington DE 19850

Midland Funding, LLC  
Bankruptcy Department  
8875 Aero Drive, # 200  
San Diego CA 92123

Wirbicki Law  
Bankruptcy Dept.  
33 W. Monroe, #1140  
Chicago IL 60603

MRS Associates of New Jersey  
Bankruptcy Dept.  
1930 Olney Ave.  
Cherry Hill NJ 08003

Clerk, Third Mun Div  
18 M3 007678  
2121 Euclid Ave #121  
Rolling Meadows IL 60008

Bright Light Medical Imaging  
Billing Department  
31 S Arlington Heights Rd  
Elk Grove Village IL 60007

Chase MTG  
Attn: Bankruptcy Dept.  
Po Box 24696  
Columbus OH 43224

Blitt and Gaines, PC  
Bankruptcy Dept.  
661 Glenn Ave.  
Wheeling IL 60090

Cabelas Club  
C/O Portfolio Recovery Assoc.  
120 Corporate Blvd., Ste. 100  
Norfolk VA 23502

CITI  
Attn: Bankruptcy Dept.  
Po Box 6190  
Sioux Falls SD 57117

Midwest Bone and Joint  
C/O ATG Credit, LLC  
PO Box 14895  
Chicago IL 60614

Capital One  
Bankruptcy Dept.  
PO Box 30285  
Salt Lake City UT 84130

Comenitybank/Meijer  
Attn: Bankruptcy Dept.  
Po Box 182789  
Columbus OH 43218

Portfolio Recovery Assoc.  
Riverside Commerce Center  
120 Corporate Blvd., Ste. 100  
Norfolk VA 23502

CAP1/Bstby  
Attn: Bankruptcy Dept.  
26525 N Riverwoods Blvd  
Mettawa IL 60045

Discover FIN SVCS LLC  
Attn: Bankruptcy Dept.  
Po Box 15316  
Wilmington DE 19850

Clerk, Third Mun Div  
19 M3 000539  
2121 Euclid Ave #121  
Rolling Meadows IL 60008

Capital ONE N.A.  
C/O Midland Funding  
2365 Northside Dr Ste 30  
San Diego CA 92108

Elgin Internal Medical Associates  
C/O Merchants Credit Guide Co.  
223 W. Jackson Blvd., Ste. 900  
Chicago IL 60606

Blitt and Gaines, PC  
Bankruptcy Dept.  
661 Glenn Ave.  
Wheeling IL 60090

Capital ONE, N.A.  
Attn: Bankruptcy Dept.  
Po Box 26625  
Richmond VA 23261

Elgin Internal Medical Associates  
745 Fletcher Dr  
Elgin IL 60123

Quest Diagnostics  
C/O Credit Collection Services  
PO Box 55126  
Boston MA 02205

Quest Diagnostics  
Attn: Bankruptcy Dept  
PO Box 740397  
Cincinnati OH 45274

Syncb/ASHLEY HOMESTORE  
Attn: Bankruptcy Dept.  
950 Forrer Blvd  
Kettering OH 45420

Syncb/BP DC  
Attn: Bankruptcy Dept.  
Po Box 965024  
Orlando FL 32896

Syncb/CAR CARE DISC TI  
Attn: Bankruptcy Dept.  
Po Box 965036  
Orlando FL 32896

Syncb/HOME SHOPPING  
Attn: Bankruptcy Dept.  
Po Box 965005  
Orlando FL 32896

Syncb/JTV  
Attn: Bankruptcy Dept.  
Po Box 965036  
Orlando FL 32896

Syncb/SAMS CLUB DC  
Attn: Bankruptcy Dept.  
Po Box 965005  
Orlando FL 32896

Syncb/SCORE REWARDS DC  
Attn: Bankruptcy Dept.  
Po Box 965005  
Orlando FL 32896

Synchrony BANK  
C/O Portfolio Recov Assoc  
120 Corporate Blvd Ste 1  
Norfolk VA 23502

Synchrony BANK  
C/O Midland Funding  
2365 Northside Dr Ste 30  
San Diego CA 92108

Synchrony BANK  
C/O Cavalry Portfolio SERV  
Po Box 27288  
Tempe AZ 85285

TD BANK USA/Targetcred  
Attn: Bankruptcy Dept.  
Po Box 673  
Minneapolis MN 55440

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

<b>In Re:</b> Jeffrey Schwartz Harriett Wendy Schwartz Debtors	) ) ) ) )	<b>Case No:</b> 19-06979  <b>Chapter:</b> Chapter 13  <b>Judge:</b> David D. Cleary
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**MOTION TO MODIFY CONFIRMED PLAN AND SHORTEN NOTICE**

NOW COME the Debtors, Jeffrey & Harriett Schwartz (the “Debtors”), by and through their attorneys, Geraci Law L.L.C., to present their **MOTION TO MODIFY CONFIRMED PLAN AND SHORTEN NOTICE**, and state as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 U.S.C. 1334 and this is a “core proceeding” under 28 U.S.C. 157(b)(2).
2. The Debtors filed their Petition for Relief and plan under Chapter 13 of the U.S. Bankruptcy Act on 03/13/2019.
3. The Debtors’ plan was confirmed by the Court on 6/10/2022.
4. The Debtors fell behind on their Chapter 13 payments because Mr. Schwartz stopped working at his prior employer in June of 2022 and only recently became re-employed with Shell, with his first paystub dated 9/16/2022.
5. The Debtors fell behind on their Chapter 13 Plan payments as well as regular household expenses during this time and are unable to cure the accrued default in plan payments.
6. Based on Mr. Schwartz’s higher income at the new job the Debtors appear able to afford a plan payment of \$745 per month to the Trustee going forward, even if Mr. Schwartz is unable to maintain any overtime at the new job. See attached Exhibit A for an updated Schedule I & J, assuming no overtime given the potential complications from Mrs. Schwartz’s ongoing health issues.

7. The Debtors respectfully request that this Court defer their pending default, allowing them to repay their accrued default to the Trustee by maintaining ongoing plan payments at \$745 per month.
8. Because this Court has a hearing set as a final date for presentment of a motion to modify plan on 11/21/2022 the Debtors respectfully request that this Court hear their motion on shortened notice.

WHEREFORE THE DEBTORS, Jeffrey & Harriett Schwartz, respectfully request this Honorable Court enter an order:

1. Deferring arrears to the end of the plan term,
2. Shortening notice to that given, and
3. For any other relief the court deems proper.

**By:** /s/ Dale Allen Riley  
Dale Allen Riley

**Attorneys for the Debtors**

Geraci Law L.L.C.

55 E. Monroe Street #3400

Chicago, Illinois 60603

(Ph): 312.332.1800 (Fax): 877.247.1960